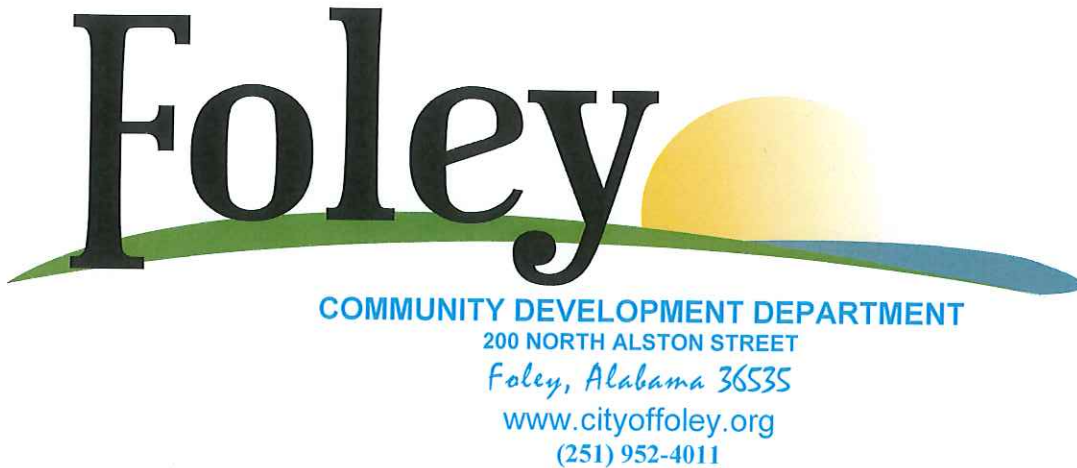




December 14, 2017

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, Alabama 36535

RE: Request for Rezoning

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on December 13, 2017 and the following action was taken:

Riviera Plaza, LLC.- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 2.13+/- acres. Property is currently zoned PDD (Planned Development District) proposed zoning is B-1A (Extended Business District). Property is located east of Hwy. 59, south of County Rd. 20 (aka Miflin Rd.). Applicant is Riviera Plaza, LLC.

Vice-Chairman Hinelsey made a motion to recommend to Mayor and Council the rezoning of 2.13+/- acres as requested. Commissioner Wilters seconded the motion. All Commissioners voted aye.

Motion to recommend to Mayor and Council the rezoning of 2.13+/- acres as requested passes.

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringle@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Kathryn Taylor

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III

City of Foley, Alabama
APPLICATION FOR PRE-ZONING OF PROPERTY

1. Location of property (Address, PIN, Legal Description, Map/Survey, Deed, and Corporate Ownership Information): SEE ATTACHED 231971, ~~231972~~
2. Attach a separate list of adjacent property owners. SEE ATTACHED
3. Approximate size of property: ~~APPROX 19 ACRES~~ 2.13 +/-
4. Present zoning of property: PDD
5. Requested zoning: B1A
6. Brief description of current use and structures located on the property:
 - a. Retail structures located on the west portion facing Highway 59
 - b. Mini storage building facing Highway 59
 - c. Fully occupied rural / basic type RV park – long term tenants
7. Briefly describe the contemplated use of the property if rezoned:
 - a. Demo the commercial structures and mini storage warehouses located on the west end of the property and replace with an upscale climate controlled storage facility fronting Highway 59 on the western most 2 acres.
 - b. The RV park will remain as is, and the vacant land to the east will remain undeveloped in the near future, until such time as market conditions exist to make use of the property as allowed by zoning.

I certify that I am the property owner and attest that all facts and information submitted are true and correct.

DATE: November 27, 2017



Property Owner / Applicant

PO Box 4088, Gulf Shores, AL 36547

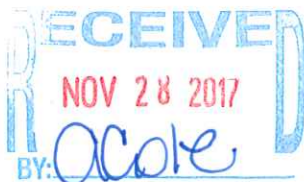
Address

251-747-0097

Phone Number

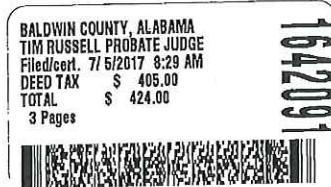
staceyryals@gmail.com

Email Address



STATE OF ALABAMA)

COUNTY OF BALDWIN)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that HENRY BURGE, JR., as Personal Representative of the Estate of Katie N. McLeod, deceased, "Grantor," for and in consideration of the sum of TEN AND NO/100THS DOLLARS (\$10.00) in cash and other good and valuable consideration, in hand paid to the Grantor by RIVIERA PLAZA, LLC a limited liability company, hereinafter called the "Grantee," the receipt and sufficiency of which are hereby acknowledged, subject to all matters and things hereinafter set forth, has this day bargained and sold and by these presents does hereby **GRANT, BARGAIN, SELL AND CONVEY** unto the said Grantee, all that real property situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

The North one-half of the North one-half of the North one-half of the Southwest Quarter of Section 9, Township 8 South, Range 4 East, Baldwin County, Alabama. SUBJECT TO any rights of way for Alabama Highway 59 over and across the West boundary line.

LESS AND EXCEPT such oil, gas, and other mineral interests, and all rights and privileges in connection therewith, as may have been reserved or conveyed by prior owners, if any.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

1. City of Foley, Alabama, Subdivision Regulations dated January 7, 2008, and recorded at Instrument 1098026, as may be amended.
2. Easement granted Baldwin County Electric Membership Corporation as recorded at Instrument 474762.
3. Terms, conditions, restrictions and other matters appearing of record at Real Property Book 873, Page 916.
4. Right of way granted the State of Alabama as recorded in Deed Book 449, Page 619.
5. Any portion of subject land which lies in the right of way of a public road.
6. Possible encroachment of drive ways/roads, as shown on tax map 05-61-02-09-3-001-001.002, .003.
7. Any security interest which may be claimed or perfected under The Uniformed Commercial Code as to the manufactured housing unit or mobile home located on the property being Insured. The Land as described herein does not include any manufactured housing unit or mobile home located thereon.
8. Zoning, if any, planning, subdivision regulations, and other ordinances, laws, restrictions or regulations upon the use or division of the land comprising the Subdivision as may be legally imposed by the County of Baldwin, Alabama, any municipality in which the property may lie, the State of Alabama, or any other governmental authorities having jurisdiction over the land in the subdivision.

Mortgage Recorded Simultaneously

The recording references refer to the records in the Office of the Judge of Probate of Baldwin County, Alabama, unless otherwise indicated.

TOGETHER WITH ALL AND SINGULAR, the rights, members, privileges and appurtenances thereunto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said above described property unto the said Grantee, in fee simple, and to its successors and assigns, forever.

And except as to taxes hereafter falling due which are assumed by the Grantee, and except as to the above mentioned encumbrances, the Grantor does, for herself and her heirs and assigns, hereby covenant with the Grantee that she is seized of an indefeasible estate in fee simple in said property, is in peaceable possession thereof, that said property is free and clear of all encumbrances, and that she does hereby **WARRANT AND WILL FOREVER DEFEND** the title to said property and the peaceable possession thereof, unto the Grantee, and to its successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal on this the 30th day of June, 2017.

Henry Burge, Jr.

Henry Burge, Jr., as Personal Representative
of the Estate of Katie N. McLeod, deceased

STATE OF ALABAMA)

COUNTY OF BALDWIN)

Pamela Gilliam
I, *Henry Burge, Jr.*, *PAMELA GILLIAM*, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Henry Burge, Jr., whose name is signed to the foregoing conveyance as Personal Representative of the Estate of Katie N. McLeod, deceased and who is known to me, acknowledged before me on this day, that being informed of the contents of said conveyance, he executed the same voluntarily, in the capacity as stated herein, on the day the same bears date.

Given under my hand and seal this the 30th day of June, 2017.

[Signature]

Notary Public

My Commission Expires: 10/19/20



The following information is provided pursuant to Alabama Code §40-22-1:

Grantor's Name: Henry Burge, Jr., Personal Representative
Mailing Address: 3525 Ravencrest Dr, Montgomery AL 36109
Grantee's Name: Riviera Plaza, LLC
Mailing Address: P O Box 4088, Gulf Shores AL 36547
Property Address: 3501 & 3521 South McKenzie St, Foley AL 36535

Date of Sale June 30, 2017

Total Purchase Price \$ 1,350,000.00

or

Actual Value \$ _____

or

Assessor's Market Value \$ _____

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale ☐ Appraisal
☒ Sales Contract ☐ Other _____
☐ Closing Statement

THE SCRIVENER OF THIS DEED REPRESENTS NEITHER
GRANTOR NOR GRANTEE AND RECOMMENDS EACH
PARTY RETAIN INDEPENDENT LEGAL COUNSEL TO
REVIEW SAID DOCUMENT.

THIS INSTRUMENT PREPARED BY:
Jule R. Herbert Jr.
Herbert Law Firm, LLC
Attorney at Law
P.O. Drawer 3889
Gulf Shores, AL 36547
(251) 968-4764



Alabama Secretary of State



Riviera Plaza, LLC	
Entity ID Number	390 - 209
Entity Type	Domestic Limited Liability Company
Principal Address	Not Provided
Principal Mailing Address	Not Provided
Status	Exists
Place of Formation	Baldwin County
Formation Date	4-25-2017
Registered Agent Name	RYALS, STACEY
Registered Office Street Address	956 COMMERCE LOOP GULF SHORES, AL 36542
Registered Office Mailing Address	956 COMMERCE LOOP GULF SHORES, AL 36542
Nature of Business	
Capital Authorized	
Capital Paid In	
Organizers	
Organizer Name	GALLOWAY, ROBERT M
Organizer Street Address	Not Provided
Organizer Mailing Address	Not Provided
Transactions	
Transaction Date	5-3-2017
Miscellaneous Filing Entry	New Entity Effective 04-25-2017 08:53
Scanned Documents	
Document Date / Type / Pages	5-3-2017 Certificate of Formation 3 pgs.

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[New Search](#)

Pin # 231971

280'(S) X 330'(S) FR THE NW COR OF SW1/4 OF SEC 9, RUN THE
170'(S) FOR THE POB, CONT E 280'(S), TH S 330'(S), TH W 280'
(S), TH N 330'(S) TO THE POB IN THE CITY OF FOLEY SEC 9-T8S-
R4E (ST WD)

N



Riviera Plaza Adjacent Zones

